

A G E N D A

BOARD OF SHELBY COUNTY COMMISSIONERS

CHARTER FORM OF GOVERNMENT

JUNE 21, 2004

1:30 P.M. COMMISSION CONVENES

CALL TO ORDER Deputy Sheriff John Thompson

**INVOCATION Dr. R.B. Holmes, President
National Baptist Congress of Christian Education**

PLEDGE OF ALLEGIANCE

ROLL CALL

WILLINGHAM ADOPTED **Approval of Minutes of Previous Sessions**
May 17, 2004

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

MALONE ADOPTED 1. **Resolution welcoming the National Baptist Congress of Christian Education as honored guests of Shelby County.**

Ordinances

KIRK APPROVED 2. **ORDINANCE – SECOND READING – Ordinance fixing the tax rate for Shelby County for 2004.**

AVERY APPROVED 3. **ORDINANCE – SECOND READING – Ordinance by the Board of Commissioners for Shelby County, Tennessee, to amend Chapter 14.5 of the Code of Shelby County to retain the same annual emission fee amount for calendar year 2003 and to adjust scheduled fees for inflation.**

Zoning and Subdivisions

BOLTON ADOPTED (A-E) 4. **Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.**

Reports and/or Resolutions of Standing Committees

KIRK ADOPTED	5.	Resolution approving the sale of thirty delinquent tax parcels from tax sale(s) 36, 39, 47, 52, 55, 82.2, 83.1, 85.2, 89.5, 94.5, 97.2, 97.3, 98.2, 99.1 and 99.5 pursuant to the provisions of TCA 67-5-2507.
KIRK ADOPTED	6.	Resolution approving the sale of nine delinquent tax parcels from tax sale(s) 35, 83.1, 85.2, 96.1, and 96.2 pursuant to the provisions of the TCA 67-5-2507.
KIRK ADOPTED	7.	Resolution approving the sale of 3.78 acres of excess 100' wide railroad right-of-way located on the east side of Jefferson Road between Washington Street and Seward Road to William H. Thomas, Jr., for \$48,000.00.
KIRK ADOPTED	8.	Resolution extending the contract for banking services with Union Planters National Bank for custody and deposit of county funds for the period July 1, 2004 through June 30, 2005.
KIRK (REMOVED TO REGULAR AGENDA) (DEFERRED TO 07/12/04)	9.	Resolution approving expenditure of funds in the amount of \$253,733.63 to Boise Office Solutions for the purchase of various items of fine paper and copy paper for various departments of Shelby County Government.
KIRK ADOPTED	10.	Resolution approving expenditure of funds in the amount of \$75,731.98 to American Paper & Twine Company for the purchase of disposable trash can liners for various departments of Shelby County.
KIRK (DEFERRED TO 07/12/04)	11.	Resolution to approve a contract with Lead Tech Solutions, LLC, in the amount of \$110,000.00 for the purpose of implementing a county intranet using portal technology, from FY 2003/2004 O&M Budget Account Number 010-201805-6637.
KIRK ADOPTED	12.	Resolution to approve the purchase of high speed printers from Delphax Technologies, Inc., and to appropriate funds from FY 2003/2004 CIP Number 101714, Computer Equipment, in the amount of \$358,050.00 for said purchase.
KIRK ADOPTED	13.	Resolution approving the contract with Mendola & Associates in the amount of \$370,000.00 and appropriating said amount in the fiscal 2004/2005 Operating Budget of the Shelby County Assessor. Contract is for the audit of tangible personal property accounts within Shelby County for calendar year 2004.
KIRK ADOPTED	14.	Resolution approving the sale of 7 acres of real property located on the west side of Deadfall Road, 760 feet north of Redwood Road, to Kenneth D. Crenshaw for \$17,500.00.
LILLARD ADOPTED	15.	Resolution to appropriate funds in the amount of \$20,000.00 from the FY 2003/2004 budget for CIP Project Number 100154, Stateline Road, to acquire right-of-way to allow construction of a portion of Stateline Road by Desoto County and to amend the FY 2003/2004 budget.

**LILLARD
ADOPTED**

16. Resolution authorizing Amendment Number 5 to Contract Number CA972096 with Parsons Transportation Group for additional professional services for the design of improvements to Houston Levee Road from Dogwood Road to Macon Road, and appropriating funds in the amount of \$9,799.00 from the FY 2003/2004 CIP Budget for Project Number 100129, Houston Levee Road.

**LILLARD
ADOPTED**

17. Resolution appropriating funds in the amount of \$140,000.00 from the FY 2003/2004 Budget for CIP Project Number 100149, Regional GIS Maps, for projects related to the State of Tennessee Base Mapping Program and amending the FY 2003/2004 budget.

**LILLARD
ADOPTED**

18. Resolution authorizing Amendment Number 1 to Contract Number CA033704 with DLR Group, Inc., and appropriating additional funds in the amount of \$4,720.00 from the FY 2003/2004 CIP Budget for Project Number 101109, Soccerplex.

**AVERY
ADOPTED**

19. Resolution for the provision of professional nursing services at Oakville Health Care Center.

**AVERY
ADOPTED**

20. Resolution approving salary adjustments for nine (9) employees in the Division of Health Services for FY 2003/2004.

**AVERY
ADOPTED**

21. Resolution to amend the Memphis and Shelby County Health Department FY 2003/2004 Operating Budget to appropriate funds in the amount of \$396,850.00.

**THOMPSON
ADOPTED**

22. Resolution amending the FY 2003/2004 Byrne Grant budget of the Office of the District Attorney General for the West Tennessee Violent Crime and Drug Task Force to permit the transfer of funds from Operations and Maintenance to Personnel expenditures.

**THOMPSON
ADOPTED**

23. Resolution approving a sub award to the City of Memphis on behalf of the Memphis Police Department in the amount of \$34,020.00 net of required matching contribution pursuant to the Juvenile Accountability Incentive Block Grant for the term October 1, 2003 to September 30, 2004.

**THOMPSON
ADOPTED**

24. Resolution approving the expenditure of funds to Envirorem, Inc., in the amount of \$38,457.09 for mold remediation services at Building N located at the Corrections Division.

**THOMPSON
ADOPTED**

25. Resolution to approve a long term Land Lease, Development and Use Agreement between Shelby County and the Shelby County 911 Emergency Communications Board to lease 15.00 acres of county owned real property located approximately 860 feet south of Haley Road and 1,080 feet west of Farm Road, for a new combined Emergency Communications facility, and to authorize the mayor to execute the Land Lease, Development and Use Agreement, leasing said real property to the Shelby County 911 Emergency Communications Board.

THOMPSON ADOPTED	26.	Resolution accepting grant from the State of Tennessee Office of Criminal Justice Programs for an electronic fingerprint imaging system for the Division of Corrections and amending the Operating Budget to create a grant budget for FY 2005 and authorizing the Mayor to execute grant documents.
THOMPSON ADOPTED	27.	Resolution approving a contract with Allied Systems, Inc., to provide a complete security system consisting of CCTV system, alarm system, and access control system for the Shelby County East Complex, appropriating funds in the amount of \$99,300.00 from the FY 2003/2004 Budget for CIP Project No. 101731, Security, Fire, Safety and Emergency Services.
THOMPSON ADOPTED	28.	Resolution approving expenditure of funds in the amount of \$65,740.00 for the labor and material to fabricate cell and shower doors to Southern Maintenance as described in Bid #1000900 (66 cell doors, 6 shower doors, 12 classroom and kitchen doors) for Sheriff's Office Jail.
THOMPSON ADOPTED	29.	Resolution approving contract amendment by and between Evans Taylor Foster Childress Architects and Shelby County Government on behalf of the Juvenile Court of Memphis and Shelby County, for Phase II of the renovation of Building N, architectural and engineering fees, in the amount of \$81,813.00 and appropriating funds in the amount of \$81,813.00 from FY 2004 Operating Budget.
THOMPSON ADOPTED	30.	Resolution appropriating \$525,000.00 from FY 2004 Capital Improvement Budget Project Number 101709, Correction Center Renovation, for re-roofing of four housing units at the Shelby County Correction Center.
FORD ADOPTED	31.	Resolution approving an amendment renewing the Contract Number CA033441 with Mercer Human Resource Consultants for actuarial and benefits consulting services for one year July 1, 2004 through June 30, 2005, with services not exceeding \$229,400.00. These services assist with administration of the county's employee health care plans.
THOMPSON ADOPTED	32.	Resolution approving the transfer of title of six parcels of Homestead Program Property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and Resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985, authorizing the implementation of the Homestead Program.
RENDTORFF ADOPTED	CONSENT AGENDA	

REGULAR AGENDA

Elections, Appointments, and Confirmations

Ordinances

Zoning and Subdivisions

**BOLTON
ADOPTED**

- 33. CASE NO. P.D. 03-353 CC**
APPLICANT: Belz Investco GP
- LOCATION:** The southern terminus of Windyke,
Clubview and Greenbelt Drives; +/- 170 feet
south of Glen Eden Drive
- REQUEST:** Planned development to create a mixture of
lot sizes ranging between a minimum 3,500
square feet to a maximum 10,000 square
feet in accordance with the bulk regulations
of the R-S and R-TH Districts.

**Memphis and Shelby County Office of Planning and
Development recommendation:**

APPROVAL WITH CONDITIONS
**Memphis and Shelby County Land Use Control Board
recommendation:**

APPROVAL WITH CONDITIONS

**(Notice of public hearing published in the Daily News on
Friday, May 7, 2004.)**

**AVERY
(DEFERRED
TO 07/12/04)**

- 34. CASE NO. U.V. 04-02 CC**
APPLICANT: Bruce Wring
- LOCATION:** East side of Riverdale Road; +34 feet south
of Fernbank Lane
- REQUEST:** Office

**Memphis and Shelby County Office of Planning and
Development recommendation:**
REJECTION

**Memphis and Shelby County Land Use Control Board
recommendation:**
REJECTION

**(Notice of public hearing published in the Daily News on
Friday, May 7, 2004.)**

**BOLTON
ADOPTED**

- 35. CASE NO. P.D. 04-321 CC**
APPLICANT: Waymon Welch, Jr.
- LOCATION:** South side of New Dexter Road; +832 feet
 west of Beaver Trail Drive
- REQUEST:** Amend P.D. 92-313 CC to add the following
 area:
 Area A (along Dexter Road – 0.70 acres) –
 Commercial Uses
 Area B (along Old Dexter Road – 0.90 acres)
 – Residential Uses
- Memphis and Shelby County Office of Planning and
Development recommendation:
 APPROVAL WITH CONDITIONS
- Memphis and Shelby County Land Use Control Board
recommendation:
 APPROVAL WITH CONDITIONS
- (Notice of public hearing published in the Daily News on
Friday, June 11, 2004.)

**BOLTON
ADOPTED**

- 36. CASE NO. S.U.P. 04-209 CO**
APPLICANT: Cingular Wireless, LLC
- LOCATION:** Six hundred twenty five feet (625') feet west
 of Osborn town Road at Fowler Road
- REQUEST:** Special Use permit to allow a wireless
 transmission tower one hundred ninety five
 (195') feet in height with two (2) co-locations
- Memphis and Shelby County Office of Planning and
Development recommendation:
 APPROVAL WITH CONDITIONS
- Memphis and Shelby County Land Use Control Board
recommendation:
 APPROVAL WITH CONDITIONS
- (No notice of public hearing or notice letters to interested
property owners required since there was no opposition at
the Land Use Control Board.)

**HOOKS
ADOPTED**

- 37. CASE NO. Z 04-118 CC**
APPLICANT: D H & S Properties
- LOCATION:** Southeast corner of S. Germantown Road
 and E. Shelby Drive
- REQUEST:** Planned Commercial (C-P) District
- Memphis and Shelby County Office of Planning and
Development recommendation:
 APPROVAL WITH CONDITIONS
- Memphis and Shelby County Land Use Control Board
recommendation:
 APPROVAL WITH CONDITIONS
- (Notice of public hearing published in the Daily News on
Friday, June 11, 2004.)

Reports and/or Resolutions for Standing Committees

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| KIRK
ADOPTED | 38. | Resolution amending the FY 2003/2004 CIP Budget and appropriating \$95,000.00 from FY 2003/2004 CIP Project Number 101944, Frayser Community Development Corporation. |
| KIRK
ADOPTED | 39. | Resolution adopting a Continuing Budget and Tax Rate for the fiscal year beginning July 1, 2004, and providing an effective date. |
| KIRK
ADOPTED | 40. | Resolution authorizing the issuance of not exceeding \$110,000,000.00 Shelby County, Tennessee Tax Anticipation Notes, Series 2004; providing for certain details with respect to such notes; authorizing the proper officials to do all things deemed necessary or advisable in connection with the sale and issuance of the notes; appointing the financial advisors; and providing an effective date. |
| LILLARD
ADOPTED | 41. | Resolution authorizing coordination, regulation and governing board for the Regional Geographical Information System. |
| AVERY
ADOPTED | 42. | Resolution to approve a contract between Shelby County Government and the Government of Crittenden County, Arkansas, parties of the second part, and Perkins & Trotter, PLLC, party of the first part, for the provision of legal and consulting services related to petitioning the Environmental Protection Agency regarding non-attainment designation in the Memphis area in the amount of \$45,330.00 plus out-of-pocket expenses in an amount not to exceed \$15,000.00 for a period not to exceed one hundred twenty (120) days after execution of contract, amend the Shelby County Government FY 2003/2004 Operating Budget and appropriate funds in the amount of \$60,330.00. |
| WILLINGHAM
ADOPTED | 43. | Resolution to approve an expenditure of funds to ARC Electric Company, Inc. in the amount of \$52,053.00 for emergency repairs to the motor control center in the main mechanical room at the Memphis Cook Convention Center. |
| FORD
ADOPTED | 44. | Resolution approving contract with Municipal Code Corporation for the recodification of the Shelby County Code pursuant to Article II Section 2.13 of the Shelby County Charter and appropriating funds for said contract. |
| AVERY
ADOPTED | 44A. | Resolution appointing the County Medical Examiner for Shelby County, Tennessee. |

Announcements/Statements

Adjournment

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| WILLINGHAM
ADOPTED | 45. | Resolution of Adjournment to July 12, 2004, at 1:30 p.m. |
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AGENDA # 4
JUNE 21, 2004

4A

SUBDIVISION: GARDENS OF BERRYHILL P.D., PHASE 3 (P.D. 97-385 CC)

DEVELOPER: ASHLEY GLEN, L.L.C.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO GARDENS OF BERRYHILL P.D., PHASE 3 (P.D. 97-385 CC)

LOCATION: WEST SIDE OF BERRYHILL ROAD; +2,100 FEET NORTH OF CHIMNEYROCK BOULEVARD

4B

SUBDIVISION: GERLAND CREEK P.D., PHASE 5, PART OF PARCEL 3 (P.D. 92-349 CC)

DEVELOPER: WHISPER RIDGE, GP

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO GERLAND CREEK P.D., PHASE 5, PART OF PARCEL 3 (P.D. 92-349 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: NORTH SIDE OF SHELBY DRIVE; +2,600 FEET WEST OF HACKS CROSS ROAD

4C

SUBDIVISION: GERLAND CREEK P.D., PHASE 6, PART OF PARCELS 3 AND 4 (P.D. 92-349 CC)

DEVELOPER: WHISPER RIDGE, GP

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO GERLAND CREEK P.D., PHASE 6, PART OF PARCELS 3 AND 4 (P.D. 92-349 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: NORTH SIDE OF SHELBY DRIVE; +2,600 FEET WEST OF HACKS CROSS ROAD

4D

SUBDIVISION: SHELBY PARK P.D., PHASE 1, AREA A (P.D. 03-361 CC)

DEVELOPER: TERANSKY, L.L.C.

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO SHELBY PARK P.D., PHASE 1, AREA A (P.D. 03-361 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED.

LOCATION: WEST SIDE OF RALEIGH-LAGRANGE ROAD; +/-125 FEET NORTHWEST OF MULLINS STATION ROAD

AGENDA # 4
JUNE 21, 2004

4E

SUBDIVISION: WOLFCHASE FARMS OF BARTLETT SUBDIVISION, PHASE 4 (S 91-053 CO)

DEVELOPER: WOLFCHASE, L.P.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO WOLFCHASE FARMS OF BARTLETT SUBDIVISION, PHASE 4 (S 91-053 CO)

LOCATION: NORTH SIDE OF BROWNSVILLE ROAD, WEST OF NASHVILLE RAILROAD R.O.W.

[For questions regarding the Agenda,
please call Grace Hutchinson, Chief Administrator, at 545-4301.]